

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
ORANEFO OKOLO, as Assignee of ST.
LUKE'S HOSPITAL CONSORTIUM,

Plaintiff,

-against-

CROSS RIVER STATE GOVERNMENT,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
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DATE FILED: 7/17/2020

19 Civ. 5329 (AT)

ORDER

In light of Plaintiff's letter, ECF No. 20, filed in response to the Court's order to show cause, ECF No. 18, this action will not be dismissed at this time. Plaintiff is reminded, however, that future non-compliance with the Court's deadlines could be grounds for dismissal of his case *sua sponte* for failure to prosecute. *Davis v. Town of Hempstead*, 597 F. App'x 31, 32 (2d Cir. 2015).

By **August 14, 2020**, Plaintiff shall resubmit his materials for default judgment in accordance with Attachment A to the Court's Individual Rules in Civil Cases. An affidavit must be submitted by Plaintiff, Oranefo Okolo, and not his counsel, setting forth "a statement of proposed damages and the basis for each element of damages, including a step-by-step explanation of each calculation." Rule 1(b) of Attachment A.

If the precise damage amount cannot be determined by Plaintiff at present, Plaintiff's affidavit shall set forth "a statement of proposed damages and basis for each element of damages" without calculations, *id.*, so that the Court may grant default judgment and refer the matter to the magistrate judge for an inquest on damages.

SO ORDERED.

Dated: July 17, 2020
New York, New York



ANALISA TORRES
United States District Judge